

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2009-____-W

IN RE:	Petition of the Office of Regulatory Staff for a Declaratory Order Against Quail Ridge Water Co. Requiring the Posting Of a Performance Bond and Filing of Their Annual Report))))))	PETITION OF THE OFFICE OF REGULATORY STAFF FOR AN ORDER REQUIRING THE POSTING OF A PERFORMANCE BOND AND FILING OF THE ANNUAL REPORT
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The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina (“the Commission”) is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of water utilities operating for compensation as set forth in S.C. Code Ann. §§58-5-10, et seq. (Supp. 2008); that the Office of Regulatory Staff (“ORS”) is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §§58-4-10 (Supp. 2008), et seq. as enacted by 2004 S.C. Acts 175.

2. That Quail Ridge Water Co. (“Quail Ridge”), P.O. Box 100, Davis Station, SC 29041 was issued a certificate of public convenience and necessity and granted initial approval of rates and charges by the Commission on September 7, 1977 under Docket No. 77-257-W in Order No. 77-607. According to Quail Ridge’s 2007 Annual Report, the company provides water service to a total of 80 customers.

3. That in a review of Performance Bond Data and Annual Reports ORS discovered that Quail Ridge did not have a current performance bond meeting the minimum requirements or a 2008 Annual Report posted with the Commission. ORS staff contacted Quail Ridge regarding their performance bond via letter on September 11, 2009, and certified letter on October 26, 2009. ORS staff further contacted Quail Ridge regarding the 2008 Annual Report via letter on July 21, 2009 and certified letter on August 20, 2009.

4. That as of December 9, 2009, Quail Ridge had not posted an adequate performance bond for the operation of the water system serving the Quail Ridge Shore Subdivision in Clarendon County, South Carolina and has not filed a 2008 Annual Report. Quail Ridge has thus failed to comply with the requirements set forth in S.C. Code Ann. §58-5-720 (Supp. 2008) and 26 S.C. Code Regs. 103-712.1 and 103-712.3 (Supp. 2008).

5. That the Commission has jurisdiction over Quail Ridge pursuant to S.C. Code Ann. §§58-5-10, et seq. (1976 & Supp. 2008). Further, the Commission requires before the granting of authority or consent to the operation, maintenance, acquisition, expanding or improving of any water utility regulated by it, that such utility file with the Commission a bond with sufficient surety payable to the Commission conditioned upon the provision by the utility of adequate and sufficient service.

WHEREFORE, the ORS staff prays that the Commission:

1. Order Quail Ridge to file, in accordance with S.C. Code Ann. §58-5-720 (Supp. 2008), a bond in an amount as required and the 2008 Annual Report under 26 S.C. Code Regs. 103-712.3.1 and 103-712.1 (Supp. 2008).

2. Cause a copy of this Petition to be served on Quail Ridge within 14 days of filing pursuant to 26 S.C. Code Regs. 103-830(B)(1).

3. Require Quail Ridge to submit an Answer to this Petition within the deadlines prescribed by the Commission's rules and regulations.

4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding Quail Ridge's obligation to comply with the submission of an annual report and a performance bond.

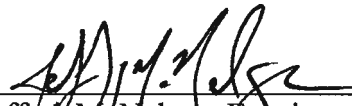
5. Pursuant to 26 S.C. Code Regs. 103-846 (c), take judicial notice of the Commission's records in that the required annual report and performance bond have not been filed for Quail Ridge.

6. Find that Quail Ridge has not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.

7. Order the Respondent to comply with Commission rules and regulations and maintain its books and records for water operations in accordance with the NARUC *Uniform System of Accounts for water utilities* as adopted by this Commission and as mandated by 26 S.C. Code Regs. 103-719 (Supp. 2008).

8. Enter a final order requiring Quail Ridge to cease charging for water service, and/or impose and assess a penalty against Quail Ridge for not complying with the annual report submission requirement.

9. For any additional action or relief which the Commission may deem necessary or proper.



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December 17, 2009
Columbia, South Carolina

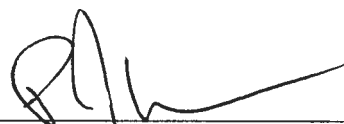
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THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-____-W

IN RE:	Petition of the Office of Regulatory)	
	Staff for a Declaratory Order)	
	Against Quail Ridge Water Co.)	CERTIFICATE OF
	Requiring the Posting Of a)	SERVICE
	Performance Bond and Filing of)	
	Their Annual Report)	

This is to certify that I, Pamela J. McMullan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Quail Ridge Water Co.
P.O. Box 100
Davis Station, SC 29041



Pamela J. McMullan

December 17, 2009
Columbia, South Carolina